UNITED STATES DISTRICT COURT FOR THE DISTRICT OF RHODE ISLAND

COREY DAY, et al

v.

C.A. 08-94ML

ASHBEL T. WALL, et al

<u>ORDER</u>

The Findings and Recommendation of United States Magistrate Judge

Jacob Hagopian dated March 10, 2009 in the above-captioned matter is accepted

pursuant to Title 28 United States Code § 636(b)(1). The Defendants' First

Motion to Dismiss is DENIED.

BY ORDER:

Mary M. Lisi

Chief U.S. District Judge

April 2, 2009

Entered as an Order of this Court on April 2, 2009

Bashara Baslitte
Deputy Clerk